

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

The City Council of the City of Leon Valley, Texas, met for a Special City Council Meeting on the 15th day of January 2008 at 5:30 p.m., at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

CITY COUNCIL WORKSHOP - 5:30 P.M.

Call to order.

Mayor Riley called the workshop meeting to order at 5:35 p.m. and asked that the minutes reflect that the following members of Council were present: Manea, Reyna, Baldridge, Dean and Nelson.

City Manager Lambert, City Secretary Feutz, and City Attorney McKamie were also present.

Discussion of hiring process and review of resumes for Consulting Engineer contract.

City Manager Lambert presented Council with resumes from nine engineering firms and/or individuals who wished to be considered for the position of City Engineer for the City. He provided a general explanation on the process in selecting the City Engineer which would result in a contract negotiated with the candidate chosen by Council to provide engineering services to the City.

Following Council discussion, Council directed staff to rank those who responded to the Request for Qualifications and to ask the top four candidates for interviews. Discussion continued on reviewing qualifications that met the projects planned by the City that would need engineering services in the future.

Adjourn.

Hearing not further discussion, a motion was made by Councilman Reyna to adjourn at 6:18 p.m., and Mayor Riley announced the workshop meeting adjourned.

REGULAR CITY COUNCIL MEETING - 7:00 P.M

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 15th day of January 2008 at 7:00 p.m., at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order at 7:02 p.m. and asked that the minutes reflect that the following members of Council were present: Manea, Reyna, Baldridge, Dean and Nelson.

City Manager Lambert, City Secretary Feutz, Police Chief Wallace, Director of Public Works Vick, Assistant Director of Public Works Stolz, Development Services Director Madison and

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

Assistant Director of Development Services Flores, Assistant City Secretary/HR Officer Caldera, and City Attorney William McKamie were also present.

Mayor Riley asked resident Patty Manea to lead the assembled group in the Pledge of Allegiance.

Presentation by Rotarians (Debra Plant).

Debra Plant, on behalf of the Leon Valley Rotary Club, addressed Council thanking them for the City's continued support of their activities. She presented Mayor Riley with a plaque of appreciation and certificates of appreciation to Lt. Reyes and Chief Wallace of the Leon Valley Police Department for their assistance with the holiday food and toy drive. Ms. Plant announced that 500 pounds of food were collected and delivered along with gifts for several families. Mayor Riley thanked the Rotary Club for the plaque and for their contributions to the community.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion. Hearing no requests, Mayor Riley then asked if anyone in the audience wished to address the Council.

Trade and Market Days Committee Chair Nita Lange addressed Council informing them that they received a letter from Reverend Price which states that his church will allow the City to use his facility's parking lot at the end of Evers Road for additional parking during the 2008 Trade and Market Days activities. Ms. Lange stated that the additional parking from the Northwest Little League and from the Church should help to alleviate parking needs for the Trade and Market Days,

Mayor Riley asked if anyone else would like to address the Council at that time, seeing no one, Mayor Riley asked for a motion to approve the items listed on the Consent Agenda.

Consent Agenda

Consider approval of minutes of the Special Meetings and the Regular City Council Meeting of December 18, 2007 (Feutz).

Consider approval of Quarterly Investment Report - October 1, 2007 - December 31, 2007 (Wallace).

Consider M&C # 01-01-08 - a request to waive fees for the Northwest Little League to use the conference center for one weekday evening in exchange for allowing parking at their facility for Trade and Market Day vendors and visitors (Flores).

Consider Resolution approving strategic plan for 2007-2008.

A motion was made by Councilmember Reyna, seconded by Councilman Dean, to approve the items listed on the Consent Agenda. Upon vote, Mayor Riley announced that the motion carried approving all items on the Consent Agenda.

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

REGULAR AGENDA

Presentation of the FY 2007 Audit by Holtman, Wagner & Company, L.L.P. and Council consideration of M&C # 01-02-08 - a request for approval of the Comprehensive Annual Financial Report for Fiscal Year 2007 (Wallace).

City Accountant Wallace introduced Barbara Wagner, a representative of Holtman, Wagner, and Company, L.L. P, the City's auditors. Ms. Wagner presented an overview of the audit's findings of the financial affairs for fiscal year 2007. She reported that all finances were in good order and stated that the audit gave the City a clean, unqualified opinion on the fiscal year 2007's financials, an opinion, which she stated, was the best opinion that could be given. Ms. Wagner reviewed the fund balances of general and enterprise funds and stated that the city's average monthly expenses were \$562,000 and informed Council that they had approximately 4.27 months' worth of expenses in the fund balance. Ms. Wagner recommended that the City adopt an anti fraud policy that would be reviewed annually. She reported that an anti fraud program provides the employees with the openness and opportunity to report suspected instances of fraud, if any, in government. She reported that theft of time with incorrect time sheets as the one area that has been reported in other employers' workplaces that have established an anti fraud policy.

Following discussion, a motion was made by Councilman Reyna, seconded by Councilman Manea, to approve the Comprehensive Annual Financial Report for Fiscal Year 2007. Upon vote, Mayor Riley announced the motion carried and thanked Ms. Wagner for her report.

Councilmember Baldrige asked that an anti fraud policy be reviewed for possible consideration by Council at a later date.

Consider Resolution ordering the General Election to be held on May 10, 2008 for the purpose of electing a Mayor, Council Place No. 2, and Council Place No. 4, providing details relating to the conduct of holding the election, and authorizing the City Manager to enter into contract with the Bexar County Elections Administrator for the joint election services (Feutz).

City Secretary Feutz addressed Council explaining that the proposed resolution orders the General Election, provides for joint election process for that election with Bexar County on May 10, 2008 for the purpose of electing a Mayor, Council Place No. 2, and Council Place No. 4. Ms. Feutz provided a short summary of the reasons why a joint election was being considered with voters past complaints for having to go to multiple sites to vote on the same day for elections held by more than one entity as the primary reason for considering a joint election. She explained that the Kinman House in Leon Valley was approved for a countywide early voting site which would provide voters with more days and hours, in addition to allowing Leon Valley voters to vote for Leon Valley's General Election on the Bexar County ballot at any Bexar County early voting polling place. She informed Council that the election costs would be shared and should be less than the previously paid \$3800. Ms. Feutz also informed Council that on Election Day, Leon Valley City Hall will be an election site for at least two Leon Valley precincts. Ms. Feutz explained that the proposed resolution, if approved, would also authorize the City Manager to enter into the contract with Bexar County for the joint election services.

Bexar County Elections Administrator Jacque Callanen answered questions from Council and

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

explained that Bexar County as an interactive phone system set up for voters to call in to find out where to vote. She thanked Council for offering the use of the Kinman House as an early voting site.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, approved the Resolution ordering the election and authorizing the City Manager to enter into a contract with Bexar County Elections Administrator for joint election services for the May 10, 2008 General Election. Upon vote, Mayor Riley announced the motion carried and the request was approved as presented.

Consider M&C # 01-03-08 with attached Ordinance to amend City Code Chapter 24, "Subdivisions and Plats", Section 24.600, "Subdivision Standards," Subsection 24.601, "Applicable Standards", h., "Drainage," and Section 24.704, "Storm Drainage," Subsection 2, "Drainage Facilities," A. "Streets" to further mandate detention facilities and to revise regulations for street capacity of stormwater runoff. (Flores)

Assistant Development Services Director Flores addressed Council reminding them of the problems the City experienced with downstream flooding in 2007. She explained that the proposed changes to the City Code would mandate detention ponds and to change the stormwater street capacity from five years to twenty-five years. Ms. Flores reviewed the changes which will clarify the regulations for stormwater runoff retention facilities for developers and will require, in cases where streets would be used to carry stormwater runoff, the water will not be allowed to breach curbs for a twenty-five-year event. She noted that the changes do not increase cost to the City, but could possibly increase costs to developers for construction of storm sewers.

City Manager Lambert explained that developers are required to build a system to handle five times the normal stormwater runoff, but the new requirements will require underground stormwater drains rather than just depending on streets to handle water runoff. He explained that San Antonio has a five-year requirement, but with the proposed changes, it will increase developer's costs. Mr. Lambert stated that Council could always amend this proposed standard if we find that the requirements are insufficient.

Following discussion, a motion was made by Councilmember Baldrige, seconded by Councilman Reyna, to approve the changes requested to City Code Chapter 24 "Subdivisions and Plats" as requested. Upon vote, Mayor Riley announced the motion carried and the Code would be amended.

Public hearing to consider M&C # 01-04-08 with attached ordinance, amending Chapter 32 "Schedule of Fees, Section 32.1700 "Water Fees" and repealing and replacing Section 32.2000, "Impact Fees", to add regulations for a water supply impact fee and determining that no update is needed to existing water and sewer impact fees (Leonard Young/Flores).

Mayor Riley welcomed Leonard Young to present information on the impact fee calculations for water supply.

Engineer Leonard Young addressed Council stating that Local Government Code Chapter 395 allows for impact fees for new customers to pay the City for the impact the new improvements

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

made as a result of the new customers on the City's water and sewer systems. Mr. Young explained that the City is required to review their impact fees and the study is prepared by an engineer. He noted that the last time the City raised their impact fees was in 1999. Mr. Young reported that the Capital Improvements Advisory Committee, appointed by Council as a duty of the Zoning Commission, has worked with him throughout the study process.

Mr. Young explained that there were two options allowed for credit options and recommended that the City use the option allowed by State Legislature, which will allow a credit equal to 50% of the total projected cost of implementing the capital improvements plan in calculating the maximum water supply impact fee per service unit. Mr. Young reported that when calculated using a ten-year plan, the maximum impact fee per service unit was \$1659, as compared to the rate set within the last year by the San Antonio Water System of \$1242 per service unit. Mr. Young cautioned Council that being competitive with San Antonio was one option, but if the City experiences a down turn in development and has purchased water rights, there may be some financial considerations. He reported that the Capital Improvements Advisory Committee (CIAC) had approved the proposed impact fee structure for new water supply but he noted that City Council still retains the option to choose up to \$1659 per service unit in its approval of the final impact fees. He reported that the CIAC did not recommend any adjustment to the existing water and sewer impact fees, but did recommend implementing the new water supply impact fee as he has presented.

Mayor Riley opened the public hearing at 8:15 p.m. and invited anyone in the audience to address Council on the proposed impact fees.

Development Services Director Madison addressed Council stating that from the economic development viewpoint, Council must weigh the effect of any new commercial/industrial fees on future development. She stated that Council could always waive or subsidize impact fees as part of an incentive package for desirable new development and she reminded Council that the city does not have much land area left for new residential development.

Engineer Young reminded Council that impact fees are based upon purchase of water rights and cannot be used for leased water rights. He stated that Council needed to agree on the maximum impact fee, and stated that any amount that the impact fee does not cover, the City will have to take from water rates. He agreed that fees that affect the bottom line of developers do influence their decision to locate in an area.

Hearing no one else, Mayor Riley closed the public hearing at 8:25 p.m.

Following discussion, a motion was made by Councilman Reyna, seconded by Councilman Manea, to approve the amendments to Chapter 32 requested and with the new water supply impact fee to be charged would be at the rates quoted in the presentation for the City of San Antonio with the rate of \$1242 per residential service unit. Upon vote, Mayor Riley announced that the measure was approved and thanked staff and Mr. Young for their work.

Consider M&C # 01-05-08 - a request to authorize the City Manager to enter into an Interlocal Agreement with the City of San Antonio for prisoner detention services (Chief Wallace).

Police Chief Wallace addressed Council and started to explain the purpose of the interlocal

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

agreement when Councilmember Dean and Councilman Reyna asked to have the matter discussed in executive session to confer with the City Attorney.

Councilman Reyna then moved for Council to hear Agenda Item # 13 for M&C # 01-06-08 to consider authorization to apply for a Bexar County Community Development Block Grant prior to Council consideration of an interlocal agreement with San Antonio for prisoner detention before consideration of Agenda Item # 12. Councilmember Dean seconded the motion. Upon vote, the motion carried and Mayor Riley announced that Council would hear the request under M&C # 01-06-08 first.

Consider M&C # 01-06-08 - a request for authorization to submit an application to the Bexar County Community Development Block Grant Program for funding to construct a handicapped accessible foot bridge into Raymond Rimkus Park (Stolz).

Assistant Public Works Director Stolz addressed Council informing them that the deadline for filing for a grant from Bexar County's Community Development Block Grant Program was January 24, 2008. He explained that staff proposed a grant to pay for construction of a handicapped accessible foot bridge into Raymond Rimkus Park across Huebner Creek with the grant funding \$45,000 of the expected total project cost of \$50,050. He explained that if selected for the grant, an interlocal agreement would be brought back to Council in the next year and project design and bid letting/award would take about another four months. Mr. Stolz explained that the 6-foot by 75-foot proposed bridge could include pre-manufactured trusses of steel with a wood deck with a height that would take the bridge above the 100-year flood plain over Huebner Creek.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to authorize the City Manager to submit application to the Bexar County Community Block Grant Program as presented. Upon vote, Mayor Riley announced the motion carried.

At 8:40 p.m., Mayor Riley announced that Council would convene into Executive Session, as authorized under Government Code Section 551.071 "Consultation with Attorney".

A motion was made by Councilman Reyna, seconded by Councilman Manea to allow Agenda Item # 18 "Citizens to be Heard" to be heard prior to the start of the Executive Session. Upon vote, motion carried.

Citizens to be heard.

Mayor Riley asked if anyone in the audience wished to address Council, hearing no one, she announced that Executive Session would now be convened and Council left the Chambers at 8:43 p.m.

Consider M&C # 01-05-08 - a request to authorize the City Manager to enter into an Interlocal Agreement with the City of San Antonio for prisoner detention services (Chief Wallace).

Mayor Riley announced Council was reconvened into open session at 9:08 p.m. with all members of Council present.

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

Councilman Reyna stated that based upon Council discussion and advice from the City Attorney in the Executive Session, he moved that the City Manager be authorized to enter into the Interlocal Agreement with the City of San Antonio for prisoner detention services, with the modification to the term of the agreement end at the end of our fiscal year, September 30, 2008 and that the quarterly payments made under the agreement be made timely, but under protest, so that in the event that we find later that we did not have to make those payments. The motion was seconded by Councilmember Baldrige. Upon vote, Mayor Riley announced that the motion carried.

Discussion Agenda

Discussion on Texas Round-Up and Get Fit programs for City (Mayor).

Mayor Riley addressed Council stating that one of the strategic plan's goals involved physical fitness for our community. She presented a letter from Governor Rick Perry asking for the City to consider joining the Texas Round-Up program using "Get Fit Texas", a free goal-oriented program to promote physical fitness. Councilman Reyna recommended that this program be tied into the economic development program that will be presented by the Development Services Director. Councilmember Baldrige recommended that the program be promoted.

Mayor Riley stated that what she heard from Council was that the plan should be adopted and that Ms. Madison would be asked to bring back a plan as to how we can implement this in our strategic plan. She stated that the new program could be posted on the website and it could be promoted with both employees and the citizens of Leon Valley. She recommended that during the annual health fair, the Fire Department could promote the new program.

Discussion on resolution to promote a Bus Rapid Transit (BRT) System (Lambert).

Mayor Riley presented information and photos from the EMX mass transit bus system from Eugene, Oregon and proposed that a resolution be developed to express Leon Valley's support for a world class mass transit system that would ask VIA to consider Bandera Road for their bus rapid transit (BRT) program. She suggested that the Bandera Road BRT could link with the already considered VIA program of a BRT from downtown San Antonio to the medical centers.

Council agreed by consensus to review a resolution asking VIA's consideration for a BRT line on Bandera Road as an alternative to a toll road expansion project to address traffic congestion.

Discussion on appointment of a special citizen's committee to review undeveloped land options in Seneca West Subdivision.

Mayor Riley explained to Council that she had been approached by a citizen in December following Council's review of the then proposed development plan for Seneca West properties. She stated that the citizen asked her to consider appointing a citizen committee to make a development plan for undeveloped properties in their neighborhood. She also noted that a resident along in the El Verde/Jeff Loop area had asked for a citizen committee to provide input on that same development that will affect stormwater runoff into to his neighborhood.

Councilmembers discussed their reluctance to create another committee. Development Services Director Madison suggested Council may wish to have a focus group meeting to

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

collect development suggestions from citizens and to let citizens know that their Council values their input.

City Manager's report.

A. Financial Report for month of December 2007 by City Accountant.

City Accountant Wallace addressed Council providing an overview of revenue and expenses for December 2007. She reported that sales tax for the first quarter of FY 2008 was up, but that ad valorem tax revenue was slower coming in. She reminded Council that ad valorem revenue may not be coming in until June for those who elect split payments and that residents over age 65 years have the option to defer payment of their ad valorem taxes. She informed Council that she expects a report from the firm auditing hotel/motel taxes in February.

B. Update on Forest Oaks Community Association (FOCA) request for a partnership agreement for tennis court operations.

City Manager Lambert reported that he had participated in a meeting, held on January 10, 2008, with Councilmembers Baldrige and Manea, two representatives from FOCA, two members of the City Park Commission, and the Directors from the Public Works Department on the prospective partnership agreement for the City to maintain and operate the FOCA -owned tennis courts. Mr. Lambert reported on the meeting highlights and reported that he would attend the next FOCA Board meeting to hear if the FOCA Board would approve a counter proposal to have the tennis courts serve a dual use for tennis and basketball. He reported that based on citizen surveys, the Park Commission does not see the addition of another tennis court high on their list of priorities.

Citizen Al Uvietta addressed Council suggesting that Council may want to consider a one-time solution by funding the necessary tennis court surface improvements as an economic development measure.

Announcements.

Councilman Manea thanked the Fire Department, Police Department and Chief Wallace for their support of the Rotary Club's food and toy drive.

Councilman Reyna welcomed new Development Services Director Amy Madison and wished everyone a Happy New Year.

Councilmembers Baldrige, Dean, and Nelson echoed the welcome to Ms. Madison.

Mayor Riley introduced Amy Madison as the new Development Services Director with an emphasis on economic development. Mayor Riley reported on the funding found by TxDOT to construct the needed footbridge over Huebner Creek on Bandera Road, after Senator Leticia Van De Putte interceded on behalf of the City. She reported that the American Institute of Architects has announced that Leon Valley would be the recipient of the SDAT grant as a result of the application submitted following work by resident Al Uvietta and intern Kathryn Wood. Mayor Riley reported on FEMA meetings announced for January and February and the date of January 22, 2008 for the next CAG meeting with the EPA representatives. She reminded

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, JANUARY 15, 2008**

everyone that District 2's Community Development Block Grant meeting would be held at Leon Valley City Hall on January 24, 2008 at 6:30 p.m.

Adjourn.

A motion was made by Councilman Reyna, seconded by Councilmember Dean to adjourn. Hearing no other business or comments, Mayor Riley announced that the meeting was adjourned at 9:50 p.m.

ATTEST:

Chris Riley
Mayor

City Secretary

Minutes approved by majority vote of the City Council at the Regular City Council meeting of February 5, 2008.